



Citizen's Engagement Guide for Pennsylvania's Phase III Watershed Implementation Plan (WIP)

Background: The Chesapeake Bay restoration effort is arguably one of the largest conservation efforts ever undertaken. According to the 2017 midpoint assessment, some of our Watershed Implementation Plans (WIPs) are working! Collectively, much progress has been made to reduce point source pollution from wastewater treatment plants. Watershed wide the largest pollution reductions involved phosphorus and sediment, but less progress was made in reducing nitrogen pollution. Similarly, some jurisdictions have significantly reduced pollution in most sectors, while other jurisdictions have made little progress reducing pollution from any sectors. Now that we have reached our halfway point, it is imperative now, more than ever, that we focus on how much is left to do to achieve our 2025 clean up goals. To do this, we must ensure that comprehensive Phase III Watershed Implementations (WIPs) are developed in Pennsylvania.

How is Pennsylvania doing?

Pennsylvania is severely behind in its efforts to reduce pollution runoff in the Chesapeake Bay. Our Commonwealth is one of the leading agricultural producing industries in the country, and we have more miles of waterways than every other state excluding Alaska. However, of the 86,000 miles of waterways we have in the Commonwealth, nearly one-quarter are deemed "impaired". This stems from a deep-rooted tradition in the coal mining and agriculture industry. With this, Pennsylvania state resource agencies, stakeholders, and citizens, are coming together to develop a bottom-up approach to address our pollution reduction goals.

Currently, the Pennsylvania Department of Environmental Protection (DEP), Department of Conservation and Natural Resources (DCNR), Department of Agriculture (PDA), and stakeholders from across the watershed are working together in the development of the Phase III WIP. On April 10, 2018 nearly 200 leaders from county conservation districts, agriculture, municipal governments, environmental groups, water companies, and other entities participated in a workshop focused around the state plan for improving water quality in Pennsylvania's portion of the Chesapeake Bay Watershed.

Participants shared their expertise and aided in the development of the Community Clean Water Toolbox to draft policy and suggestions to help Pennsylvania meet its Total Maximum Pollution Reduction (TMDL) goals by 2025. During the conference, the group learned about planning, engagement, resource, tracking, and implementation tools that would be available to counties for developing and implementing action plans to reduce pollution runoff into our waterways. The areas for initial pilot development are Lancaster, York, Adams, and Franklin County. These counties will lead the way in development and create their action plans by October. After the initial toolbox is created and implemented in these counties, it will then be further modified (as needed) for use by the other counties in the Commonwealth.

The midpoint assessment was released during the summer of 2018, and it illustrated that Pennsylvania is behind in all three of the categories that need to be reduced. Currently, we are only at 15% of our target reductions goals for Nitrogen, 55% for Phosphorus, and 38% for Sediment. By EPA estimations and guidelines, we were supposed to be at 60% of our pollution reduction goals. Because of these shortcomings and how far behind Pennsylvania is in comparison to the other states in the Bay watershed, Pennsylvania is the only state that has specific WIP expectations – all others operate under general expectations.

Pennsylvania's Phase III WIP schedule:

- *Summer 2018* – defining action steps and potential reductions in areas, defining local priorities, refining scoping scenarios, and identifying existing and needed resources
- *September 2018* – Draft action plans for submission to DEP Chesapeake Bay Office by October
- *Fall 2018* – Follow-up meetings between the WIP Steering Committee and the pilot counties as necessary
- *December 2018* – Report annual BMP progress; Verification programs in place
- *April 2019* – Draft Phase III WIP's due. WIP will be posted on to the States' websites for public review through June, 2019.
- *August 9, 2019* – Final Phase III WIP's posted on states' websites

These counties are the most heavily agriculturally producing counties in the Commonwealth – therefore, they also contribute the most pollution to the bay. Lancaster and York County alone contribute 25 percent of the total pollution runoff into the Bay from Pennsylvania; so it is essential that we define how we can effectively reduce agricultural runoff from these areas. If cost-effective and efficient BMP's are set into place with the 4 pilot counties, these practices can then be transferred to the other counties in the Chesapeake Bay Watershed.

What does Pennsylvania need?

If Pennsylvania continues to lag in our pollution reduction goals, the EPA may enact, but is not limited to the following actions:

1. EPA may continue to target federal enforcement and compliance assurance in the watershed, which could include both air and water sources of nitrogen, phosphorus, and sediment pollutant loads;
2. EPA may expand NPDES permit coverage through designation, as provided by the Clean Water Act and its regulations, for the following sources of pollutants not currently regulated under any NPDES permits: animal feeding operations, [industrial and municipal] stormwater sources, and/or urbanized areas. Such designations would require those sources to apply for NPDES permit coverage and would assist Pennsylvania in achieving the pollutant load reductions proposed in its Phase III WIP;
3. EPA may require additional reductions of loadings from point sources through a Pennsylvania state specific proposed amendment to the 2010 Chesapeake Bay TMDL to include reductions in current facility specific waste load allocations for the significant municipal and industrial wastewater discharging facilities in order to increase the share of the allocations to stormwater and/or agriculture; and

The state resource agencies, along with the stakeholder groups who are leading the WIP process, believe that public buy-in and a bottom-up approach will lead to the greatest success

for modeling our pollution reduction goals. The Commonwealth is well aware of the uphill battle it faces with the TMDL, and are doing everything they can with the capacity they have to meet our goals so that EPA does not have to interject in 2025.

In a study done by Penn State University's Agriculture and Environment Center, it is estimated that Pennsylvania would require an estimated \$387 million annually to meet our pollution reduction goals set for the in the TMDL. Making progress towards reaching this goal has proved difficult, and Pennsylvania is drastically behind in our pollution reduction goals. In order to effectively combat water pollution, we must first ensure that we have the funding mechanisms in place to provide proper oversight. Unfortunately, in Pennsylvania, our state resource agencies have been severely hindered over the last 16 years, which has proved difficult due to increased workloads and decreased staff numbers. Going forward, we have the following asks:

ASK #1 - Dedicated Fund for Clean Water:

- Supporting a dedicated clean water fund that will aid in addressing the state's water pollution problems. Clean water is fundamental to public health and our economy. Unfortunately, nearly one-quarter of our Commonwealth's streams, creeks, and rivers are not safe for drinking, swimming, fishing or aquatic life.
- Recently, a water use fee has been proposed in Pennsylvania. This bill would support water protection programs across the Commonwealth, including the Genesee, Ohio, Delaware, Susquehanna, Erie, and Potomac watersheds. There are roughly 5.9 billion gallons of Commonwealth water used every day without compensation. What this bill aims to do is charge a small fee.
- This water usage fee charges one-hundredth of a cent per gallon for all withdrawals over 10,000 gallons per day, and one-tenth of a cent for all consumptive uses over 10,000 gallons per day. With this bill, it is estimated that an additional \$245 million could be generated.
- There are 12 other states that have some form of water revenue mechanisms in place, which provide for both the oversight and protection of their water. In June 2018, the PA Legislative Budget and Finance Committee completed a formal report on the feasibility of establishing a water use fee in the state.
- Studies have also indicated a 2:1 cost to ratio analysis for water quality restoration. This means for every dollar spent on water quality improvement; there are two dollars of benefit which range from economic activity, ecosystem services and increased property value.
- An increased in funding would also allow for increased financial and technical assistance. In Pennsylvania, we need more individuals who can develop models and undertake data analysis – increasing technical expertise will lead to more efficient and effective BMPs moving forward.
- In order to meet our pollution reduction goals, we also need to have an increase in financial assistance – as the Commonwealth requires more resources to be able to meet our goals. For example, Maryland puts in \$34 million per year for their state cost-share agriculture practices – this finances wastewater treatment plants. In Pennsylvania, we only put in roughly \$12 million per year.
- All of these resources can go a long way in restoring the water quality in the Chesapeake Bay watershed. Right now, the total TMDL clean-up would need an estimated \$387 million annually in funding to hit the 2025 pollution-reduction goal. One

way we can do that is by establishing this fund – as it is a logical approach to protecting local water quality while addressing regional concerns.

Ask #2 – Increased Clean Water Funding in State Resource Agencies:

- Over the last 15 years, our State Resource Agencies have been subjugated to cuts in their budgets. For instance, the Department of Environmental Protection (**DEP**) had a budget of *\$245.6 million in FY 2002-03*, and *\$153.3 million in FY 2018-19*. Although this is an increase of \$6.8 million, or 4.7 percent over the FY 2017-18 budget, the Department is still critically underfunded in comparison to the workload they are undertaking.
- The Department of Conservation and Natural Resources (**DCNR**) state General Fund budget of *FY 2018-19 totals \$121.3 million*, which is \$16 million, or 15.3 percent more than the FY 2017-18 budget. The increase in General Fund appropriations for state parks and forests relates to the decrease in the funding transfer from the Oil and Gas Lease Fund. When factoring in Oil and Gas Lease Fund transfers, DCNR will see an overall increase of 2.2 percent. Compare this to the *FY 2002-03 funding level of \$108.8 million*, and it is clear we are still behind where we should be.
- While we applaud the General Assembly in the steps they have taken to increase the funds our state resource agencies have received, we also realize that there is still work that needs to be done. In order to meet our pollution reduction goals, and continue to protect our natural resources and environment, we must continue to increase the funding our state agencies are receiving and restore their funding to the 2002-03 FY level.

Ask #3 – Full-Share Funding for State Water Commissions: Please support full funding for the Delaware River Basin Commission (DRBC), Susquehanna River Basin Commission (SRBC), Interstate Commission for the Potomac River Basin (ICPRB), and the Ohio River Valley Sanitation Commission (ORSANCO).

In the 2017-18 FY budget cycle, the Pennsylvania State Legislature cut these state water commissions funding by 50 percent. In this year 2018-19 budget, Governor Wolf called for the funding of these water commissions to be doubled, which would restore them to pre-2017-18 FY levels. The legislature rejected this proposal and kept funding level with the 2017-18 year. These water commissions do extremely important work, including, but not limited to:

- *DRBC* - Water quality protection, water supply allocation, regulatory review (permitting), water conservation initiatives, watershed planning, drought management, flood loss reduction, and recreation
- *SRBC* - Managing the water resources of the Susquehanna River under comprehensive planning principles through its own programs and by coordinating the efforts of PA, MD, NY, and the federal government. Implementation of structural and non-structural flood mitigation plans, regulations of water withdrawals and consumptive use, allocation of water resources among the member states, restoration and preservation, and protection of water quality
- *ICPRB* - Protects and enhances the waters and related resources of the Potomac River basin through science, regional cooperation, and education. Operating programs that set waste water discharge standards, perform biological assessments, monitor for chemical and physical properties of the waterway, and conduct special surveys and studies

- **ORSANCO** - Coordinates emergency response activities for spills or accidental discharges to the river, and promotes public participation in programs.

In order to fully meet the goals and objectives set forth by our water commissions, they must be fully funded. The Commonwealth of Pennsylvania must join its partners and support the Commission in every capacity possible so it may communicate and educate the public, aid in the improvement of water quality, water resources and aquatic life.

Ask #4 – Oppose the “Regulatory Reform” Package

In order to fully reach these goals, there needs to be a significant overhaul in the Pennsylvania General Assembly. For the last several years, funding for our state agencies has slightly increased, however, several bad bills have come out of both the House and the Senate that would prove to be devastating for clean water. The following are examples of bills that PennFuture is in opposition of, and have spent extensive time educating our lawmakers about the dangers if they were to pass: **House Bills 209, 1237, 1792, 1959, 1960** – The “Regulatory Reform” Package.

The following set of bills is known as the “Regulatory Reform” package, which strip agencies of their ability to operate independently. We ask that when you speak with an elected official, you ask them to vote “NO” on the following bills.

House Bill 209 – *Representative Kristin Phillips-Hill* (R – York)

This bill would create the Independent Office of the Repealer. The job of the Repealer would be to reduce or eliminate regulations that are “unreasonable, unduly burdensome, duplicative, onerous, outdated or conflicting statutes that hinder efficiency, understanding, and liberty or are detrimental to economic well-being.”

House Bill 1237 – *Representative Dawn Keefer* (R – Cumberland, York)

House Bill 1237 would give the House and Senate effective veto power over the promulgation of almost all new regulations. Any new regulation would need to be approved within 10 legislative days or 30 calendar days, or the regulation dies. This bill would make it increasingly difficult for the executive branch, using existing legal and statutory authority, to develop new regulations. Including those that protect public health and the environment. By giving each chamber a veto over new regulations, this bill would skew the balance of power within our Commonwealth.

House Bill 1792 – *Representative Kerry Benninghoff* (R-Centre, Mifflin)

This bill would prohibit state executive agencies from reissuing the same regulation in the future, or promulgating a regulation that is substantially similar. In theory, this may seem like a good idea, but if enacted would significantly weaken the permitting and rulemaking authority of the agencies. HB 1792 is unrealistic in expectations for review and inadequate opportunity for earnest public participation in the process.

House Bill 1959 – *Representative Greg Rothman* (R-Cumberland)

This bill puts forth the third-party permit review, which mandates that state agencies contract with third-party professionals to review permit applications subject to a “permit decision delay.” This does not take into the consideration the staff and budget resources at these agencies. For example, with 40% reduction in their budget over the last 14 years, DEP would effectively be

mandated to a third-party review. This bill also states that existing permits are exempt from the requirements of any statutes or regulations passed after permit was originally issued. In effect, this would grandfather in older permits and new and modern rules and regulations would be obsolete.

House Bill 1960 – *Representative Brian L. Ellis* (R-Butler)

This bill gives a new regulatory compliance officer in each state agency, including DEP, the authority to block an agency from imposing fines and penalties for violations to rewrite policies under which fines and penalties are imposed. This means that if you are in violation of a regulation, but claim you did not understand it, you should not have to pay a fine or penalty. Imposing this bill would require hiring more employees but provides no funding to support this function. In effect, it could create a bottleneck of unprecedented scale and impact given the sheer amount of permits issued on a yearly basis by these agencies.

House Bill 2154 - *Representative Martin Causer* (R – Forest)

This bill is the House version of Senate Bill 1088, which effectively rolls back conventional drilling to pre-Act 13 years. This would mean conventional drilling operators would run their operations based on the 1984 Oil and Gas Act. If this legislation passes, it would make Pennsylvania the only state in the country to walk back protections applied to oil and gas operations.

Senate Bill 1088 – Senator Scott E. Hutchinson (R-Butler, Clarion, Forest, Venango, Warren)

Among many troubling provisions, this bill would decrease key protections for our public natural resources back to what they were in 1984 – which is nearly nonexistent. SB1088 puts our parks, forests, water, endangered plants and animals, and sites of cultural and historical significance in jeopardy. This bill rewards conventional operators who commit violations of environmental laws. It also leads to less transparency, as there is only a 15 day period where objections can be raised to proposed conventional well locations. It is harmful to landowner and municipalities as it blocks local governments from making their own zoning decisions. For these reasons, we implore you vote to oppose this legislation – as it is not in the best interest for our Commonwealth's citizens.

Given the makeup of Pennsylvania politics, defining a strict timeline to which we would be able to definitively meet these goals is problematic. With that being said, PennFuture and partners have recently headed up an initiative coined the *new session planning and policy retreat*, on August 9-10, where we defined a list of 11 target legislative offices and power mapped where each of our partner organizations had the strongest base of members. The aim of this is to swing policy makers who have been on the fence in recent votes, and establish relationships moving forward. Along with this, we are also meeting with incoming freshmen elected officials before they take office in January to build a foundation. With this, we are looking to build new champions across the watershed and develop deep ties with these key offices to gain leverage on bills we support, and bills we oppose, moving forwards.

What Your Organization Can Do:

1. **Advocacy with Choose Clean Water Coalition.** Your organization's voice — and the voices of your members — are making a difference. Sign-on letters and action alerts matter. Commit to participating in advocacy efforts and the Choose Clean Water Coalition to impact

funding and policies that benefit our local streams. Take part in the CCW Coalition work group calls. Our agencies and your watershed need these funds to continue our progress.

2. **Engage your local governments on the WIP:** Work with your local government to ensure that they are tackling robust WIPs and doing their part to reduce as much pollution as possible. They should be completing evaluations of what worked and what did not in their phase II WIPs and what they need to do to in phase III. Ensure that our state agency engages local governments on an individual basis to assess what worked in the phase III WIP what did not, and most importantly what is needed in order to ensure local quantitative targets are met.
3. **Hold agencies accountable:** attend hearings, comment on proposed plans, and use the press through Op-eds, LTEs, etc. to hold them accountable. [Chesapeake Legal Alliance](#) can help Choose Clean Water organizations like yours draft comments.
4. **Local planning:** Get involved in your local planning and zoning to ensure that forests are conserved so that population growth and development do not endanger the health of the Bay. Engage in your local comprehensive plans and growth development planning processes.
5. **Stormwater education and outreach:** Have at least one person from your group be a point of contact for public inquiries about best management practices for homeowners and businesses. Educate elected officials and the movers and shakers about the importance of polluted runoff fees or other programs that set money aside for pollution reduction
6. **Support important legislation on the state level and hold elected officials accountable:** Help build the effectiveness of the environmental community by maximizing participation of conservation-minded individuals in public policy decisions.

Cross-Region Asks:

If we are to achieve the necessary pollution reductions critical to saving the Bay, Pennsylvania must also ensure that:

Climate Change/Coastal Resilience

- Why is this issue important?
 - Chesapeake Bay Program scientists have determined that Bay states need to eliminate an additional 9 million pounds of nitrogen pollution and 500,000 pounds of phosphorus to offset the impacts of climate change and ensure that dissolved oxygen standards can be met in the Bay mainstem by 2025 (to say nothing of compliance with WQS in watershed tributaries). While the jurisdictions rejected a proposal that would commit each jurisdiction to account for their proportion of the these numeric loads, the partnership did approve a policy to qualitatively or programmatically address climate impacts in the Phase III WIPs.
- *What is our ask?*
 - In addition to the Bay Program's own guidance (currently in draft form, final in October), Coalition members should ask for
 - A quantitative commitment to address climate-attributable pollution loads, as presented by the Bay Program modeling produced in 2017-2018, and supported by narrative discussion of proposed practices to eliminate the jurisdiction's proportion by 2025
 - An assessment of and specific actions to address the impact that increasing loads of inorganic nitrogen will have on watershed tributaries
 - Quantitatively address risk of climate impacts to proposed BMP siting based upon the best-available projections for inundation factors such as

modeled storm surge and sea level rise; qualitatively and/or quantitatively consider impacts on design where feasible and supported by available science

- Conduct and include assessment of and specific actions that will be taken to address the climate vulnerability of existing BMPs, consistent with the guidelines above.
- Include clear commitment to specific actions that will be taken to facilitate the collection and evaluation of BMP performance data to support future development of BMP standards for climate resilience
- Provide a clear and specific narrative description of how potential climate co-benefits, addressing challenges such as flooding and urban heat islands, were identified and prioritized through the selection and design of proposed BMPs and other interventions
- Provide a clear and specific narrative description of how the Phase III WIP is adequately flexible and adaptable to addressing elimination of climate-attributable, numeric pollution loads (once adopted by the partnership in 2021) before that 2025 deadline. In other words, have a plan for a plan to eliminate climate-attributable pollution loads, beginning in 2021 (sooner is better) and no later than 2025.
 - "Cadillac-option": include commitments and specific actions to begin elimination of climate-attributable pollution loads before they are adopted in 2021. E.g. "We can expect that the modeling will indicate our burden will be somewhere between XX,XXX and YY,YYY additional pounds by 2025, so we propose getting started on implementing BMPs before 2021 that will address half of that additional pollutant loading."
- Commit to consideration of a set of "stopping rules" policies - before Phase III WIPs are finalized – that would ensure adoption by 2021, and action no later than 2025, to address numeric pollution loads attributable to climate change.
- Include a clear and unequivocal commitment to addressing climate-attributable pollution loads beginning no later than 2022.

Accounting for growth

- Why is this important?
 - Partnership agreed to policy decisions related to accounting for growth. While the Bay Program has forecasted growth through 2025 in order to give states a better sense of what they will need to offset, the states still need to make policy changes or ramp up BMP implementation in order to deliver on that. Advocates have an opportunity to help state lawmakers and officials develop innovative policy approaches that are uniquely tailored to their states. It is imperative that we push states here, because this is not a traditional aspect of Clean Water Act implementation. Rather, it is unique to the Bay TMDL and necessary to achieving the TMDL's goals.
- What is our ask?
 - Phase III WIPs that are *accounting for growth* include policies that account for and offset pollution from new or expanding sources for all sectors, consistent with the TMDL and EPA expectations. If the state has not created an accounting for

- growth regulation, policy, or even working/stakeholder group, then we should urge the state to move forward to create one and volunteer to assist.
- It is also crucial that we advocate that states develop policies for ALL sectors. This is not solely designed to focus on new residential/commercial developments. New animal populations in many states will dwarf the impact of pollution from human population or economic growth.

Land Conservation

- Why is this important?
 - *Land conservation* is a part of a long term plan for restoring and maintaining water quality in the region. Land use change continues to be a major driver of pollution in the Chesapeake Bay watershed. Land conservation BMPs are among the options that jurisdictions are considering and committing to in developing their WIPs.
 - Since one of the major drivers of pollution in the Chesapeake Bay Watershed is land use change (from less polluting to more polluting uses), land conservation must be a part of long term plans for restoring and maintaining water quality. That should start with Phase III WIPs. Permanent land conservation is one of the most cost-effective and enduring forms of pollution reduction--by avoiding pollution in the first place and maintaining protection of that land in perpetuity. And its value in delivering this and many other benefits will only increase in future decades, making it an even sounder investment as time passes.
- What is our ask?
 - Ensure that land conservation BMPs are among the options that jurisdictions are considering and committing to in developing their WIPs.
 - Engage local land trusts as stakeholders in the WIP III planning process
 - Consider land trusts not only as partners who can deliver land conservation, but also as partners who are stewarding land and have relationships with landowners that could help facilitate “traditional” BMP implementation on private land

State and Local Funding

- Why is this important?
 - State budgets are essential for meeting the 2025 target. We will not succeed without new and enhanced programs backed by strong budgetary support. Our WIPs will not succeed without identifying funding deficiencies and developing a plan of action to increase those funds.
 - Funding is the most difficult challenge facing our efforts to meet our goals. There are not enough available fund and state legislatures are unwilling to appropriate the necessary funds.
- What is our ask?
 - Phase III WIPs identify innovative *state and local funding* needs to implement best management practices (BMPs) for farmers and conservation practices.
 - See state expectations resource for compelling and local arguments as to why an investment in clean water is a good one.

State Best Management Practice (BMP) Verification Programs

- Why is this important?
 - The TMDL will only succeed if pollution reduction practices – including “Best Management Practices,” or BMPs – work as intended. The only way to know whether BMPs are working as intended is to verify that they have been installed,

implemented, and maintained correctly. Verification is also key to public trust in the TMDL process.

- What is our ask?
 - For more detail, see the state CCWC BMP Verification Protocol Comments submitted to the EPA Chesapeake Bay Program in January 2016. In general, we need to work to ensure verification plans should require more provisions to ensure adequate transparency, enforcement, adaptive management, and funding. See you state expectations for more guidance here.

Farm Bill

- Why is this important?
 - The Farm Bill provides an opportunity to increase funding to the Chesapeake Bay through the Regional Conservation Partnership Program (RCPP) and the Conservation Reserve Enhancement Program (CREP).
- What is our ask?
 - Chesapeake Bay jurisdictions should collectively support improving funding mechanisms such as the RCPP and CREP within the Farm Bill that will bring continued, critical funding back to the region.
- What does this mean?
 - RCPP - The 2014 Farm Bill's RCPP was meant to replace the Chesapeake Watershed Initiative, which brought \$47 million annually to Chesapeake Bay watershed farmers to install conservation practices meant to benefit water quality. RCPP fell short, and has only brought in about \$10 million annually. The changes made to RCPP in the Senate Farm Bill, supported by the Choose Clean Water Coalition, should substantially increase conservation funding for all eight Critical Conservation Areas across the country, which includes the Chesapeake Bay watershed. The primary change is to have 60% of all RCPP funds, rather than the current 35%, go to those 8 Critical Conservation Areas.
 - CREP - This is the primary Farm Bill program used to restore and protect riparian forest buffers in the Chesapeake Bay watershed and nationwide. The Coalition supported a provision that got into the Senate Farm Bill which will increase the number of acres that can be restored nationwide by at least 50% - from 1 million acres to at least 1.5 million acres. Riparian forest buffers are a primary conservation practice used in every state's WIP to meet pollution reduction targets by agricultural sector.

Conowingo Dam

- Why is this important?
 - The Conowingo Dam unintentionally acts as a "pollution gate" stopping sediment (and attached pollutants) from going down stream into the Chesapeake Bay. At this point in time, the reservoir behind the dam is essentially full and is trapping smaller and smaller amounts of sediment over time. When the region experiences large storms that create strong floods, this scours the sediment and other pollutants behind the dam and sends them downstream into the Bay. Original estimates stated that the dam would not be at trapping capacity until 2030 or 2035, but the dam is approximately 95 percent full right now, and recent assessments have determined the dam is no longer stopping pollution at all.
- What is our ask?
 - A strong WIP for the *Conowingo Dam* that provides sufficient funding.

Clean Water Act Permits

- Why is this important?
 - The jurisdictions are gathering input from stakeholders and conservation organizations leading up to and during *Clean Water Act Permit* renewals and development.
 - A significant percentage of reductions have come from facilities regulated under CWA permits. Many of these facilities are regulated under general permits that come up for renewal every 5 years (or they're supposed to). At any given time, some of these permit renewals are under development. Advocates need to know when the permit renewals are due and start working with the state months, if not a full year, in advance to have our voices heard in the permit development process.
 - As an example, under a TMDL milestone assessment, EPA downgraded Maryland's stormwater sector and one condition to prevent further downgrading was to develop the next round of MS4 Phase I permits two years early, sharing the draft template permit with EPA Region 3. MD advocates met with MDE a number of times during that year and submitted written comments.

Additional Resources:

- Coalition Communications Committee
- [This communications toolkit](#) with watershed-wide and state specific language.
- We are using two hashtags - #HalftimeForTheBay and #NoOvertime
- [Coalition blog post](#)
- Center for Progressive Reform [midpoint blog](#)
- Chesapeake Bay Foundation [Blueprint progress portal](#)
- 2017 Pennsylvania Midpoint Assessment
- [The Pennsylvania Bulletin](#) – Where You Can Find All New Regulations